Appl. No. 10/564,274 Amdt. dated April 16, 2008

Reply to Office Action of March 28, 2008

ELECTION AND REMARKS

A restriction requirement was made to pending claims 1-4. The claims were placed into the following three groups: Group I (claim 1) drawn to Candida tropicalis strain; Group II (claim 2) drawn to an alginate bead; and Group III (claims 3 and 4) drawn to a method of making xylitol. The Examiner reasons that the inventions of Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1, because under PCT Rule 13.2 they lack the same or corresponding special technical features.

In response to this restriction requirement Applicant hereby elects Group I (claim 1), without traverse. As a result of the election of Group I (claim 1), Applicant has amended claims 2-4 to bring them within the scope of the elected invention. As amended, claims 2-4 are now drawn to the strain of Candida tropicalis --CJ-FID(KCTC10457BP)-- of claim 1. As such, Applicant takes the position that a common inventive concept (special technical feature) is now shared between claims 1-4.

Applicant believes that the pending claims are in condition for allowance. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date April 16, 2008

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